

### **REMARKS**

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7, 10, 11, 13-17, 19-27, 32, 33 and 41-44 are pending in the present application. Claims 1-4, 7, 10, 11, 16, 19, 23, 26 and 27 have been amended, claims 8, 9, 12, 18, 28-31 and 34-40 have been canceled, and claims 41-44 have been added by the present amendment.

In the outstanding Office Action, claims 34-40 were rejected under 35 U.S.C. § 112, second paragraph; claims 1-33 were rejected under 35 U.S.C. § 101; claims 1-6, 10, 15-17, 20-22, 24-29, 32-36, 39 and 40 were rejected under 35 U.S.C. § 102(b) as anticipated Kitahara et al.; claims 8, 9, 11-14, 18, 19, 30, 31, 37 and 38 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kitahara et al. in view of Shoji et al.; and claims 7 and 23 were indicated as allowable if rewritten in dependent form.

Applicant thanks Examiner for the indication of the allowable subject matter. In light of this indication, claims 7 and 23 have been rewritten in independent form.

Applicant also thanks the Examiner for discussing this application with Applicant's representative on June 20, 2007. During the discussion, Applicant's representative explained the differences between the present invention and the applied art. No agreement was reached upon Examiner's further review when a response is filed. Comments presented during the discussion are reiterated below.

**35 U.S.C. § 112, Second Paragraph**

The Office Action rejects claims 34-40 under 35 U.S.C. § 112, second paragraph, and indicates that it is unclear whether these claims are directed to a computer system or a method of providing and selecting interactive elements on a display. It is respectfully noted claims 34-40 have been canceled. Accordingly, this rejection is moot.

**35 U.S.C. § 101 Rejection**

The Office Action rejects claims 1-33 under 35 U.S.C. § 101 and indicates the claimed invention is directed to non-statutory subject matter because paragraph [0047] indicates a computer medium may be a carrier wave. It is respectfully noted that the claims recite a computer readable medium storing computer executable instructions configured to allow a user to set attributes of individual cells in a plurality of multidimensional arrays (see, for example, claim 1). It is clear from the claims that the computer readable medium is not a carrier wave, but rather is a computer readable medium that stores computer executable instructions configured to allow a user to set attributes of individual cells.

Accordingly, it is respectfully requested this rejection be withdrawn.

**35 U.S.C. § 102 Rejection**

Claims 1-6, 10, 15-17, 20-22, 24-29, 32-36, 39 and 40 stand rejected under 35 U.S.C. § 102(b) as anticipated by Kitahara et al. This rejection is respectfully traversed.

It is respectfully noted independent claim 1 has been amended to include subject matter

similar to that recited in dependent claims 8 and 9. Independent claims 16 and 27 include similar features in a varying scope. Accordingly, this rejection is moot.

### **35 U.S.C. § 103(a) Rejection**

Claims 8, 9, 11-14, 18, 19, 30, 31, 37 and 38 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Kitahara et al. in view of Shoji et al. This rejection is respectfully traversed.

As discussed above, independent claim 1 has been amended to include subject matter similar to that recited in dependent claims 8 and 9. Further, as explained to the Examiner during the discussion, independent claim 1 has also been amended to clarify that the attributes define an aspect of a weather or terrestrial condition and the plurality of multi-dimensional arrays correspond to different layers above the earth, one multi-dimensional array being above another multi-dimensional array such that a user can define different weather or terrestrial conditions for cells in a plurality of multi-dimensional arrays. Independent claims 16 and 27 include similar features in a varying scope.

These features are supported at least by Figure 13 and the corresponding description in the specification. For example, Figure 13 illustrates a plurality of multi-dimensional arrays 1301 corresponding to different layers above the earth, in which one multi-dimensional array 1305 is above another multi-dimensional array 1303 such that a user can define different weather or terrestrial conditions for cells in the plurality of multi-dimensional arrays 1301. Further, the first, second and third attributes define an aspect of a weather terrestrial condition. Therefore, according to the present condition, the user can select a cell in a graphical depiction of any one

of the plurality of multi-dimensional arrays, and define an aspect of a weather or terrestrial condition for the selected cell. The user can also perform this operation for the different layers above the earth as shown in Figure 13.

On the contrary, Kitahara et al. merely discloses converting RGB color data to 256-level luminance data (see paragraphs [0079] and [0085]). In more detail, Kitahara et al. is merely directed to processing image data for an output device such as a printer or display where the colors in the source image are assigned to a limited number of colors available in the printer or display to print or display full-color or other multi-color image data using fewer colors than are in the source image (see paragraph [0003]). Kitahara et al. does this by converting the RGB color data into 256-level luminance data. Kitahara et al. does not teach or suggest defining an aspect of a weather or terrestrial condition nor having a plurality of multi-dimensional arrays corresponding to different layers above the earth as in the present invention.

In addition, Shoji et al. merely describes defining weather for a global area obtained by dividing the map of the virtual world into a plurality of global areas (see Figures 8 and 9 and the corresponding description in the patent). Further, as explained to the Examiner during the discussion, Shoji et al. does not allow a user to select a cell in any one of a plurality of multi-dimensional arrays nor provide a plurality of multi-dimensional arrays which correspond to different layers above the earth as in the present invention. Rather, Shoji et al. merely teaches finding large global areas defining weather for large global areas of the whole map of the virtual world.

Accordingly, it is respectfully submitted independent claims 1, 16 and 27 and each of the claims depending therefrom are allowable.

**CONCLUSION**

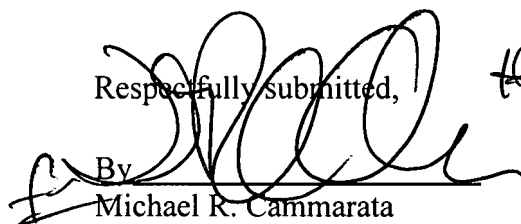
All matters having been addressed in view of the foregoing, Applicant respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's undersigned representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains an issue in which the Examiner feels would be best resolved through a personal or telephone interview, please contact David A. Bilodeau at 703-205-8072.

Please charge any fees associated with the submission of this paper to Deposit Account No. 02-2448. The Commissioner for Patents is also authorized to credit any overpayments to the above-referenced deposit account.

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Respectfully submitted,

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